

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MALIBU MEDIA, LLC,

Plaintiff,

Civil Action No. 13-CV-12161

vs.

HON. MARK A. GOLDSMITH

STEWART LEVINE,

Defendant.

ORDER REGARDING TELEPHONIC SCHEDULING CONFERENCE

You are ordered to participate in a telephonic scheduling conference Friday, November 8, 2013 @ 10:00 a.m. in the above-captioned matter.

Paul J. Nicoletti, attorney for Plaintiff, shall initiate the conference and then include the Court when all parties are on the line by calling 810/341-7060. The use of cellular phones is prohibited.

Prior to the conference, please review the Court's standard Case Management and Scheduling Order, located on the Court's website at www.mied.uscourts.gov, by clicking on Judicial Officers, District Judges, Judge Mark A. Goldsmith, Form Orders, Case Management and Scheduling Order.

Also prior to the scheduling conference, Plaintiff is required to initiate a conference with opposing counsel for the purpose of preparing a joint discovery plan in accordance with Federal Rule of Civil Procedure 26(f). The joint discovery plan must be filed on the docket **at least five business days** prior to the scheduling conference. The joint discovery plan must address the following matters:

- a brief summary of the case
- the basis for subject matter jurisdiction
- the relationship of this case to other cases
- contemplated amendment(s) of pleadings to add or delete claims, defenses, or parties
- anticipated discovery disputes and discovery progress
- facilitation/arbitration/case evaluation
- anticipated motion practice
- settlement

In addition, the plan **must set forth proposed dates** for all of the deadlines set forth in the Court's standard Case Management and Scheduling Order, except for the following: motion cut-off dates, settlement conference date, due date for the final pretrial order, date for final pretrial conference, and trial date. In submitting proposed dates, counsel should bear in mind the Court's standard case timeline:

<u>EVENT</u>	<u>DEADLINE</u>
Initial Disclosures under Fed. R. Civ. P. 26(a)(1)	Four weeks after issuance of the scheduling order
Lay Witness List	Six weeks before close of discovery
Exhibit List	Six weeks before close of discovery
Expert Witness List and Disclosure under Fed. R. Civ. P. 26(a)(2) - Plaintiff	Six weeks before close of discovery
Expert Witness List and Disclosure under Fed. R. Civ. P. 26(a)(2) - Defendant	Two weeks before close of discovery
Discovery – Fact and Expert	Six to nine months after issuance of the scheduling order, depending on the complexity of the case
Early Settlement Conference (before magistrate judge)	At close of discovery
Dispositive Motions & Motions to Limit/Exclude Expert Testimony	Three weeks after close of discovery
All Other Motions, Including Motions in Limine	Six weeks before the final pretrial conference
Settlement Conference (before district judge)	Six months after the dispositive motion cutoff date
Joint Final Pretrial Order	Two weeks before final pretrial conference
Final Pretrial Conference	Two weeks before trial
Trial	Four to six weeks after the settlement conference (before district judge)

While the Court typically affords counsel wide latitude in fashioning deadlines for the first six events listed in the chart above, the Court is not inclined to deviate significantly from its general case timeline in setting deadlines for the remaining events, unless the circumstances of a particular case require it.

After review of the submitted joint discovery plan, the Court will determine whether the above-scheduled conference is needed. If the Court determines that a conference is not needed, the Court will issue an order cancelling the above-scheduled conference and a scheduling order will be issued. If the Court determines that a conference is needed, no scheduling order will be issued and the currently scheduled conference will proceed. You should assume the conference will proceed unless you are notified otherwise.

SO ORDERED.

Dated: October 1, 2013
Flint, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on October 1, 2013.

s/Deborah J. Goltz
DEBORAH J. GOLTZ
Case Manager